

## Office of the Secretary of Defense

## § 310.8

Federal, State, or local governmental agencies shall be conducted in accordance with the requirements of 5 U.S.C. 552a, OMB Circular A-130, and DoD 5400.11-R.

(i) DoD personnel and system managers shall conduct themselves, consistent with § 310.8 so that personal information to be stored in a system of records only shall be collected, maintained, used, and disseminated as is authorized by this part, 5 U.S.C. 552a, and DoD 5400.11-R.

### § 310.6 Responsibilities.

(a) The Director of Administration and Management, Office of the Secretary of Defense, shall:

(1) Serve as the Senior Privacy Official for the Department of Defense.

(2) Provide policy guidance for, and coordinate and oversee administration of, the DoD Privacy Program to ensure compliance with policies and procedures in 5 U.S.C. 552a and OMB A-130.

(3) Publish DoD 5400.11-R and other guidance, to include Defense Privacy Board Advisory Opinions, to ensure timely and uniform implementation of the DoD Privacy Program.

(4) Serve as the Chair to the Defense Privacy Board and the Defense Data Integrity Board (§ 310.7).

(b) The Director of Washington Headquarters Services shall supervise and oversee the activities of the Defense Privacy Office (§ 310.7).

(c) The General Counsel of the Department of Defense shall:

(1) Provide advice and assistance on all legal matters arising out of, or incident to, the administration of the DoD Privacy Program.

(2) Review and be the final approval authority on all advisory opinions issued by the Defense Privacy Board or the Defense Privacy Board Legal Committee.

(3) Serve as a member of the Defense Privacy Board, the Defense Data Integrity Board, and the Defense Privacy Board Legal Committee (§ 310.7).

(d) The Secretaries of the Military Departments and the Heads of the Other DoD Components shall:

(1) Provide adequate funding and personnel to establish and support an effective DoD Privacy Program, to include the appointment of a senior offi-

cial to serve as the principal point of contact (POC) for DoD Privacy Program matters.

(2) Establish procedures, as well as rules of conduct, necessary to implement this part and DoD 5400.11-R so as to ensure compliance with the requirements of 5 U.S.C. 552a and OMB Circular A-130.

(3) Conduct training, consistent with the requirements of DoD 5400.11-R, on the provisions of this part, 5 U.S.C. 552a, and OMB Circular A-130, and DoD 5400.11-R, for assigned and employed personnel and for those individuals having primary responsibility for implementing the DoD Privacy Program.

(4) Ensure that the DoD Privacy Program periodically shall be reviewed by the Inspectors General or other officials, who shall have specialized knowledge of the DoD Privacy Program.

(5) Submit reports, consistent with the requirements of DoD 5400.11-R, as mandated by 5 U.S.C. 552a and Chapter 8, OMB Circular A-130, and 32 CFR part 275, and as otherwise directed by the Defense Privacy Office.

(e) The Secretaries of the Military Departments shall provide support to the Combatant Commands, as identified in DoD Directive 5100.3,<sup>8</sup> in the administration of the DoD Privacy Program.

### § 310.7 Information requirements.

The reporting requirements in § 310.6(d)(5) are assigned Report Control Symbol DD-DA&M(A)1379.

### § 310.8 Rules of conduct.

(a) DoD personnel shall:

(1) Take such actions, as considered appropriate, to ensure that personal information contained in a system of records, to which they have access to or are using incident to the conduct of official business, shall be protected so that the security and confidentiality of the information shall be preserved.

(2) Not disclose any personal information contained in any system of records except as authorized by DoD 5400.11-R or other applicable law or regulation. Personnel willfully making such a disclosure when knowing that disclosure is prohibited are subject to

<sup>8</sup> See footnote 1 to § 310.1.